

# CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM)

## I. (a) PLAINTIFFS

FLORENTINO NANTES

**MHP**

SOLANO

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF  
(EXCEPT IN U.S. PLAINTIFF CASES)

## DEFENDANTS

JAMES DAVIS, CHAIRMAN, CALIFORNIA BOARD OF PAROLE HEARINGS, Does 1 to 10

**E-filing**

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT **SACRAMENTO**  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

## (c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Law Office of John E. Stringer, 259 Oak Street, San Francisco, CA 94102 (415)934-1827

## ATTORNEYS (IF KNOWN)

Office of California Attorney General, 455 Golden Gate Ave., Ste. 11000, San Francisco, CA 94102 (415)703-5500

## II. BASIS OF JURISDICTION

(PLACE AN "X" IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff  
☒ 3 Federal Question (U.S. Government Not a Party)  
☐ 2 U.S. Government Defendant  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES

(For Diversity Cases Only)

(PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- |   |                            |                            |   |                            |                            |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT

(PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans' Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury — Med. Malpractice <input type="checkbox"/> 365 Personal Injury — Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSD Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 610 Selective Service <input type="checkbox"/> 650 Securities/Commodities Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 881 Agricultural Acts <input type="checkbox"/> 882 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 896 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights <b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motion to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus: General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 750 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS — Third Party 26 USC 7609	

## V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding  
☐ 2 Removed from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Reopened  
☐ 5 Transferred from another district (specify)  
☐ 6 Multidistrict Litigation  
☐ 7 Appeal to District Judge from Magistrate Judgment

## VI. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY.)

Plaintiff alleges title 42 U.S.C. Sec. 1983 violations in life suitability proceedings.

## VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 ☐

DEMAND \$  
New Hearing

CHECK YES only if demanded in complaint.

JURY DEMAND: ☒ YES ☐ NO

## VIII. RELATED CASE(S) IF ANY

(See instructions)

JUDGE

DOCKET NUMBER

## IX. DIVISIONAL ASSIGNMENT (CIVIL R. 3-2)

(PLACE AN "X" IN ONE BOX ONLY)

☒ SAN FRANCISCO/OAKLAND.

☐ SAN JOSE

DATE 3-28-08

SIGNATURE OF ATTORNEY OF RECORD

*John E. Stringer*

BY FAX

Court Name: U.S. District Court, NDCA  
Division: 3  
Receipt Number: 34611017538  
Shier ID: bucklem  
Transaction Date: 03/28/2008  
Payer Name: One Legal LLC

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CIVIL FILING FEE  
For: florentino nantes  
Case/Party: D-CAN-3-08-CV-001710-001  
Amount: \$350.00

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CHECK  
Check/Money Order Num: d3015244  
Amt Tendered: \$350.00

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Total Due: \$350.00  
Total Tendered: \$350.00  
Change Amt: \$0.00

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mhp

Checks and drafts are accepted  
subject to collections and full  
credit will only be given when the  
check or draft has been accepted by  
the financial institution on which  
it was drawn.

JOHN E. STRINGER sbn #194556 (415)934-1827 FAX: (415)934-0899  
 259 OAK STREET  
 SAN FRANCISCO, CA 94102  
 Attorney for Florentino Nantes

E-filing

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

CV 08

1710

FLORENTINO NANTES,  
 Plaintiff

CASE NO. \_\_\_\_\_

v.

MHP

JAMES DAVIS, CHAIRMAN,  
 CALIFORNIA BOARD OF  
 PAROLE HEARINGS,  
 Does 1 to 10,  
 Defendants

COMPLAINT

INTRODUCTION

This is a complaint for relief and damages under 42 U.S.C. Sec. 1983 and Wilkinson v. Dotson 2005 DJDAR 2669. Plaintiff Florentino Nantes, hereinafter referred to as Plaintiff, is an inmate at Solano State Prison. Plaintiff is serving a life sentence with the possibility of parole for second degree homicide. Under the current State of California parole scheme, Plaintiff is entitled to be considered for parole after his minimum eligible parole date. Plaintiff has been to the California Board of Parole Hearings, hereinafter referred to as the Board, five times. Plaintiff now brings this complaint alleging due process and civil rights violations in the parole-suitability proceedings as applied to Plaintiff.

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## JURISDICTION

This action arises under the Constitution of the United States, Fourteenth Amendment, Due Process and Equal Protection Clauses and Title 42 U.S.C. Sec. 1983 and other applicable State of California and Federal statutes, laws and regulations.

## PARTIES

Plaintiff is a citizen of Vacaville California (Solano State Prison). Defendant California Board of Parole Hearings is the state authority responsible for conducting parole suitability hearings. James Davis is Chairman of the Board.

## INTRADISTRICT ASSIGNMENT

The Northern District, San Francisco Division of the Federal Court is the proper venue for this action as all events, complaints, filings and/or omissions which gave rise to the claims alleged herein occurred in Vacaville California.

## FACTUAL ALLEGATIONS

1. On 5-31-07 Plaintiff appeared before the Board for his third subsequent parole hearing or fourth hearing. At that hearing the Board denied Plaintiff parole for two years. The Board denied Plaintiff a fair and unbiased hearing in that the Board ignored all the evidence that Plaintiff was a suitable candidate for parole and interjected their individual and personal bias against Plaintiff in denying him parole. (Exhibit A).

2. Plaintiff had an extremely favorable psychosocial evaluation authored by Dr. Preston Davis and dated 9-27-06. A previous psychosocial evaluation dated 10-18-01 and authored by Dr. Charles Taylor was also favorable and



1  
2 concluded that Plaintiff was "at a low risk for reoffending."

3 3. Plaintiff has been disciplinary free while incarcerated.

4 4. Plaintiff provided the Board with evidence of job offers, a residence,  
5 and exceptional family support.

6 5. While incarcerated Plaintiff has upgraded his education and earned vocations.  
7 He has also participated in numerous self-help programs.

8 6. Denying all these accomplishments and professional evaluations the Board  
9 said the crime was premeditated, that Plaintiff was a wife-beater and a danger to  
10 women. The record did not support these conclusions and the conclusions were  
11 clearly the result of personal bias and thus denied Plaintiff a fair hearing.

12 7. Plaintiff has suffered extreme emotional distress and physical discomfort  
13 as a result of Defendants course of conduct.

14 WHEREFORE, Plaintiff respectfully requests the Court to grant the following  
15 relief:

16 A. An order from the Court directing Defendant to schedule a new parole  
17 suitability hearing on the factual issues of suitability and not personal bias.

18 B. General, compensatory and exemplary damages against all Defendants  
19 for the severe emotional and physical distress caused Plaintiff.

20 C. Such other orders and further relief, including an award of costs and  
21 attorney fees as the Court deems just and proper.

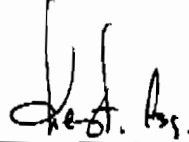
22 JURY DEMAND

23 Plaintiff requests a trial by jury.  
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Date: 1-24-08      Respectfully Submitted,



John E. Stringer, Attorney for Plaintiff

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# EXHIBIT A

**CALIFORNIA BOARD OF PAROLE HEARINGS****D E C I S I O N**

**DEPUTY COMMISSIONER HARMON:** We're on record.

**PRESIDING COMMISSIONER SHELTON:** All right, good

afternoon everyone. We are back in the matter of a

Third Subsequent Parole Consideration Hearing for

Florentino Nantes, N-A-N-T-E-S, CDC Number E-64828.

Everyone has returned to the room that was here during

the hearing. Mr. Nantes, this Panel has reviewed all

the information received, and we've relied on the

following circumstances in concluding that you are not

yet suitable for parole and you would pose an

unreasonable risk of danger to society or a threat to

public safety if released from prison.

I'm going to try to put this, put our feelings

into words, because I think it's important for you to

try to understand what we're needing here. When we look

at the commitment offense, on the surface the impression

is that you woke up from a sleep, your wife came home,

she had been out with a guy. You indicated she wanted

to talk, and you didn't want to, and you were mad and

tired, and that's why you killed her. We believe that

there is a lot more to it than that, and you need to

come to terms with that and be able to deal with that.

**FLORENTINO NANTES**

**E-64828**

**DECISION PAGE 1 5/31/07**



1 We didn't talk directly with you about that. In  
2 reality, what happened is that you got plain jealous.  
3 That word never showed up today out of your vocabulary.  
4 You used a lot of selfish and inconsiderate was the  
5 phrase you used a lot. You might just want to deal with  
6 jealous rage, and the fact that, like Commissioner  
7 Harmon said, you are tightly wrapped. And the fact is,  
8 that's an okay thing if you know how to deal with that,  
9 it's like being a type A personality and you have very,  
10 very high standards. Adriana didn't meet your standards  
11 that day. But this was not an unintended act. You were  
12 wearing gloves. And granted you were found guilty or  
13 pled to a murder second, but all the indications are  
14 that this was planned, preplanned. At the very least,  
15 stabbing her 15 times and the description of the bedroom  
16 scene is horrendous. You have not convinced us today  
17 that you will not do that again. I don't think that  
18 you, how do I say this. I think that you are ignoring  
19 some important components of this commitment offense. I  
20 think you are doing what we call mitigating it and  
21 making it not as intense as it was. But you've got some  
22 character issues that you need to deal with.

23 I think the psychiatrist was right on when she  
24 talked about obsessive compulsive traits. Those can be  
25 **FLORENTINO NANTES E-64828 DECISION PAGE 2 5/31/07**

1 positive, and you've shown those traits to be positive  
2 in your work quality, a master in your craft, so to  
3 speak. I have no doubt that you will not become  
4 employed someday, no doubt, and excel, that's in your  
5 nature, it's in your spirit. I have lots of doubts  
6 about how you'll handle personal relationships. We're  
7 giving you a two-year denial, sir. That's what you got  
8 last time. We're trying to give you today information  
9 to help you move forward. You're doing an incredible  
10 program here in the institution. What's hard for us is  
11 to try to convey to you what it is that you need to do  
12 to make a Panel feel safer about how you interact in the  
13 community. I'll try to do our best to do that today.

14 A lot of what we're asking you to do is self-  
15 reflection. Go back 18 years or whatever it was and say  
16 what was I doing, what was I thinking, what should I  
17 have done, what are those triggers, those triggers that  
18 day. What led you to put yourself in the position that  
19 you did. It's not inconsideration, it's not  
20 selfishness. Maybe, in fact, it's insecurity. Maybe  
21 you had a poor self-concept, maybe you didn't live up to  
22 the standards you thought she wanted, I don't know.  
23 You're the one that's going to have to find that out,  
24 because I don't think you have. You know, one of your

25 FLORENTINO NANTES

E-64828

DECISION PAGE 3 5/31/07

1 key phrases today was respect for humanity. People  
2 don't need to learn respect for humanity, that should be  
3 part of who we all are. And I do have to tend to agree  
4 that I still think you're in the selfish mode. You  
5 know, Mr. Nantes, you left your two-year-old son in a  
6 home unattended with his dead mother in the next room,  
7 with 15 stab wounds and blood everywhere, and you left.  
8 In all those years, you haven't done anything for your  
9 son. You haven't set aside a trust account, you haven't  
10 set up a child support program through the District  
11 Attorney's Office, you abandoned him. And you make  
12 excuses that it's everybody else's responsibility, or  
13 you don't want to intrude, or whatever the case may be.  
14 And now you say, as an aside, that that trust you and  
15 your father have, part of it is for your son. I have  
16 trouble swallowing that, because raising him from two to  
17 20 is where your heart should have been. You killed his  
18 mother. You need to think about that.

19 With regards to this decision, we talked about  
20 the commitment offense. We took the conclusions from  
21 the statement of facts that came from the October 24<sup>th</sup>,  
22 2003 Board Report. The offense was carried out in an  
23 especially cruel and callous manner. There were  
24 multiple victims that day. There was Adriana Pino and  
25 **FLORENTINO NANTES E-64828 DECISION PAGE 4 5/31/07**

1 there was your son. One was killed physically. I'm not  
2 sure where emotionally your son might be at today.

3 The offense was carried out in a calculated  
4 manner. There are all the signs of you preplanning  
5 this. She was in bed, you wore gloves. You put that  
6 sequence of events together and start dealing with it.  
7 It is your right to not talk about the commitment  
8 offense with Panels, but if you would ever decide to do  
9 that, do it truthfully, from your heart, not your head.  
10 Don't make you look better than you really were at that  
11 time.

12 The victim was abused, defiled, and mutilated, 15  
13 stab wounds with a fishing knife, a filet knife. Since  
14 I happen to fish, I know what that knife is like. The  
15 offense was carried out in a manner demonstrating an  
16 exceptionally callous disregard for human suffering,  
17 inclusive of the fact that you left your two-year-old  
18 son unattended.

19 The motive for the crime, I don't think it's  
20 inexplicable, I think it's just pure jealousy along with  
21 all the character traits that you should be dealing with  
22 and working through.

23 With regards to your prior record, sir, you have  
24 none, and that's good, excellent. Your institutional

25 **FLORENTINO NANTES E-64828 DECISION PAGE 5 5/31/07**

1 behavior has been incredible. I don't want to feel like  
2 I'm beating you up. I'm trying to give you what I best  
3 can offer you for you to move forward. But you're doing  
4 an excellent program in the institution. You have no  
5 prior record. Like one of the things I asked  
6 Commissioner Harmon is how do we convey something to  
7 you, who you really are a scientist in your own right,  
8 to move you from that scientific intellectual capacity  
9 to using your heart and your gut at the same time. It's  
10 very hard to explain that, but that's the transference  
11 that you've got to be dealing with.

12 With regards to your programming, like I  
13 indicated, your programming is incredible. You have  
14 gotten no 115s. You're to be commended for that. Only  
15 one 128, 16 years ago, last June '91. You have been  
16 involved in a variety of projects. Your PIA Lens  
17 program is comprehensive. You're an optician, you're a  
18 contact lens technician, you received your master  
19 certificate, one of very few people to do that. You  
20 teach others how to pass the optometry test. So you've  
21 become a tutor. You've had experience in culinary,  
22 clerical, and scullery. You've participated in FEMA,  
23 received three certificates that you tied to your  
24 optometry pursuits.

25 FLORENTINO NANTES E-64828 DECISION PAGE 6 5/31/07

1           Educationally you've got your high school diploma  
2   in '86. You have a TABE score of 12.9. You've received  
3   multiple laudatories and certificates in optometry as  
4   well as for the quality of your work, excellence in your  
5   work. If you note everything is about your work. It's  
6   easy to get lost there. What's that saying, all work  
7   and no play makes for a very dull boy.

8           **INMATE NANTES:** Yes.

9           **PRESIDING COMMISSIONER SHELTON:** That's where  
10   you've got to move out of the analytical and clinical  
11   and into maybe some of the spiritual. Don't give a  
12   scientific definition to relationships, and I don't mean  
13   spiritual as in religious, but on a feeling level.  
14   You've completed the 40 Days of Purpose, you have  
15   participated in Stress Management, Relationship  
16   Awareness Workshops, Anger Management, VORG. You  
17   received a certificate for a customer service  
18   specialist, participated, and I think the Anger  
19   Management, Relationship Management, Stress Management  
20   were through the Offender Employment Continuum, correct?

21          **INMATE NANTES:** Yes.

22          **PRESIDING COMMISSIONER SHELTON:** You indicated to  
23   us in your free time you like to exercise, participate  
24   in sports, and read. Your specialty in reading is eye

25   **FLORENTINO NANTES           E-64828           DECISION PAGE 7   5/31/07**



1 care, and I understand that. But I'm going to make a  
2 recommendation, try to slip in some books on  
3 relationships, more intense study of relationships,  
4 dealing with women, parenting, all the kinds of things  
5 that you can do that put you in touch with a person,  
6 basic communication.

7 **INMATE NANTES:** Okay.

8 **PRESIDING COMMISSIONER SHELTON:** And dealing with  
9 standards, you know, you have a very high standard for  
10 yourself, it's okay. You can't hold people to that same  
11 standard.

12 The Psychiatric Evaluation is kind of confusing  
13 to me in that Dr. Rouse did one in May of 2007, gave you  
14 a GAF score of 90, which is Global Assessment  
15 Functioning. It's a good score, 90 out of 100. He also  
16 indicates you're a low to moderate risk of danger to the  
17 community. We have asked for an addendum to be done on  
18 your Psychological prior to your next hearing to bring  
19 that, to address those issues and deal with some of the  
20 concerns that we have.

21 Your parole plans look to be just fine. You have  
22 solid family support in, I lost track of, but I want to  
23 say four or five states and another country. You have  
24 residential through your aunt. You have a job offer in

25 **FLORENTINO NANTES E-64828 DECISION PAGE 8 5/31/07**

1 Sacramento, and probably a very good potential job offer  
2 via the female doctor, and her name slips my mind at the  
3 moment. You have received several support letters, and  
4 your father and you have a trust account. I would  
5 suggest there that you upgrade your letters so they're  
6 current prior to your next hearing. Put a resume  
7 together. Start sending some resumes out, you know.  
8 Again, I say this frequently, we look at what you do for  
9 yourself more than what others do for you. Your package  
10 you presented us today, like I said before, was very  
11 professional.

12 I told you about the 3042 Notices. Both LAPD and  
13 LA District Attorney's Office were against parole at  
14 this time. We've gone over your positive aspects.

15 In a separate decision, the Hearing Panel finds  
16 that it is not reasonable to expect that parole would be  
17 granted at a hearing during the next two years.  
18 Obviously there is the commitment offense. You need to  
19 explore that clearly. You indicated to us that it's  
20 only been five, six, seven years since you fully  
21 recollected everything. I suggest you revisit that. As  
22 well, Commissioner Harmon made a suggestion that you  
23 might take a look at a second vocation or some kind of  
24 vocational upgrade so that you're not putting all your

25 FLORENTINO NANTES E-64828 DECISION PAGE 9 5/31/07

1 eggs in one basket. Broaden your horizons a little bit  
2 during the next couple of years. We would like you to  
3 continue your self-help and participate in additional  
4 self-help that has to do with everything about people,  
5 what makes people tick, the standards you hold them to,  
6 parenting, children, relationships, partnering, put you  
7 on a human being level.

8 Like I said, less intellectualization, more  
9 feelings. And we again indicated an addendum request  
10 for the Psychological Evaluation.

11 Commissioner?

12 **DEPUTY COMMISSIONER HARMON:** (Indiscernible.)

13 **PRESIDING COMMISSIONER SHELTON:** I should mention  
14 the fact that there was a letter in the confidential  
15 file with regards to opposition to parole at this time  
16 too, and I apologize for that.

17 **DEPUTY COMMISSIONER HARMON:** Mr. Nantes, we  
18 discussed this at length (indiscernible). This is a  
19 horrible crime. Sometimes I try to imagine what a  
20 victim like this, what must have been going through her  
21 mind in the last minutes of life, with the pain, the  
22 fear, and everything else. It's a terrible, terrible  
23 crime. But in terms of your own personal insight into  
24 this matter, I want you to keep something in mind. Here

25 **FLORENTINO NANTES E-64828 DECISION PAGE 10 5/31/07**

1 is the goal I was trying to reach in trying to determine  
2 your degree of insight and all that, and when I was  
3 asking you some of those questions, even though you  
4 didn't want to discuss the life crime. Your hesitations  
5 in responding to some of my questions concerns me. It  
6 seemed to me as if you were searching for the right  
7 words. They weren't spontaneous. They appeared even to  
8 be evasive. I do worry about your future relationships  
9 with women, very much. The bottom line is this, in my  
10 mind. You're a wife-beater, you're a dangerous man.

11           You need to develop all of the insight you can  
12 into that kind of behavior. And I might suggest to you  
13 that you take the time to write to maybe some of these  
14 women's centers and get materials on what a wife beater  
15 is. Because when you can explain to me that well, maybe  
16 she got a little bruise or something like that,  
17 indicates to me you have absolutely no insight into your  
18 behavior prior to the murder, none. And I really  
19 encourage you to really get a better understanding of  
20 exactly what a wife beater is, because you have all the  
21 makings of a wife beater, and I want to make sure that  
22 never happens again to another lady, any lady, okay.

23           **INMATE NANTES:** Yes, Sir.

24           **DEPUTY COMMISSIONER HARMON:** Make sure you

25 **FLORENTINO NANTES   E-64828   DECISION PAGE 11   5/31/07**

1 understand that. Other than that, I don't want to take  
2 away from all the good things that have been mentioned.  
3 It's important. But at the same time, my primary  
4 responsibility is to public safety. And before I ever  
5 give you a date, I would want to make sure that the  
6 issue that I just brought up to you was under control,  
7 okay.

8 **INMATE NANTES:** Yes, Sir.

9 **DEPUTY COMMISSIONER HARMON:** So that's all I  
10 have.

11 **PRESIDING COMMISSIONER SHELTON:** We wish you  
12 luck, sir.

13 **INMATE NANTES:** Okay.

14 **PRESIDING COMMISSIONER SHELTON:** And with that,  
15 at 2:05 p.m., that concludes this hearing.

16 **INMATE NANTES:** Thank you.

17 --oOo--

18  
19  
20  
21 **PAROLE DENIED TWO YEARS**

22 **THIS DECISION WILL BE FINAL ON:** SEP 28 2007

23 **YOU WILL BE PROMPTLY NOTIFIED IF, PRIOR TO THAT**  
24 **DATE, THE DECISION IS MODIFIED.**

25 **FLORENTINO NANTES E-64828 DECISION PAGE 12 5/31/07**

**CERTIFICATE AND  
DECLARATION OF TRANSCRIBER**

I, PATRICIA RICCI, as the Official Transcriber,  
hereby certify that the attached proceedings:

In the matter of the Life	)	CDC Number: E-64828
Term Parole Consideration	)	
Hearing of:	)	
	)	
FLORENTINO NANTES	)	
	)	


CALIFORNIA STATE PRISON, SOLANO

VACAVILLE, CALIFORNIA

MAY 31, 2007

11:15 A.M.

were held as herein appears. Further, this transcript  
is a true, complete and accurate record, to the best of  
my ability, of the recorded material provided for  
transcription.

  
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Patricia Ricci  
July 20, 2007  
Capitol Electronic Reporting

*Capitol Electronic Reporting*